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Relief for Non-Citizen September 11 Victims

4/29/08--IN WHAT BC LAW PROFESSOR DAN KANSTROOM DESCRIBES AS "A TREMENDOUS, THOUGH STILL INCOMPLETE, VICTORY," FEDERAL OFFICIALS AT THE DEPARTMENT OF HOMELAND SECURITY HAVE AGREED TO A COMPLEX POTENTIAL PATHWAY TO TEMPORARY LEGAL STATUS FOR NON-CITIZEN VICTIMS OF THE SEPTEMBER 11 ATTACKS.

4/29/08--In what BC Law Professor Dan Kanstroom describes as "a tremendous, though still incomplete, victory," Federal officials at the Department of Homeland Security have agreed to a complex potential pathway to temporary legal status for non-citizen victims of the September 11 attacks. Kanstroom reports that this measure--known technically as "humanitarian parole"--was a great breakthrough and may help to clear the way for a legislative solution, which is now pending in the House.

Debra Brown Steinberg, a BC Law alumna, has worked for years with the families of some of these victims of the attacks. Although some of the survivors were able to receive compensation from the September 11 Fund, many have been unable to obtain legal status, leaving them in the uncertain shadows of our immigration system.

Steinberg, who is not an expert in immigration law, met Kanstroom some years ago and the two agreed to work together on these cases, with Kanstroom and his students providing technical legal analysis and support. Recently, Human Rights Fellow Mary Holper joined the legal team, as they worked to craft a mechanism by which these families could somehow live legally in the United States.

"This is really a tremendous victory for the families, though still an incomplete one," Kanstroom said. "And of course there remain many other non-citizens in dire need of such humanitarian relief. Still, our work with Debra Brown Steinberg has been exhilarating and productive, the best sort of partnership between our Human Rights Program and a practicing lawyer."

"For the first time there is a program for these widows and widowers and orphans to change from being undocumented to having a legal presence in the United States," Steinberg said. "It will allow them to take their place with the other 9/11 families, by showing that they have faces and names."

Stewart A. Baker, an assistant secretary in the Department of Homeland Security, said in a letter to Ms. Steinberg that under the new procedure the "illegal" immigrants could provide biographical information and immigration history to the authorities without revealing their names, with the assurance that the information would not be used to deport them.

"These families share an experience with the American people that is among the most significant in American history," Baker said. "We felt they deserved an opportunity to make their case in the most effective way."

